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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/885,978	06/22/2001	Praveena Varadarajan	06502.0343	5272
22852	7590	10/19/2004	EXAMINER	
FINNEGAN, HENDERSON, FARABOW, GARRETT & DUNNER LLP 1300 I STREET, NW WASHINGTON, DC 20005			FISCHETTI, JOSEPH A	
			ART UNIT	PAPER NUMBER
			3627	

DATE MAILED: 10/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/885,978

Applicant(s)

VARADARAJAN ET AL.

Examiner

Joseph A. Fischetti

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— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) 6-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-5 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-5 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The claims fail to incorporate technological art sufficient to constitute application of the useful arts. The claims are still insufficiently amended to recite implementation of the method by computer to achieve a useful tangible and would overcome this rejection. It is suggested that the final step of retrieving and presenting be amended to include reference to computer implementation.

***Claim Rejections - 35 USC § 112***

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 3-5 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 3 recites that a display template associated with each of the first billing entities is retrieved but that they are

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displayed separately. Does this mean that all the templates are displayed at once side by side or sequentially in time?

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***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering in view of Applicant's Admitted Prior Art..

Pickering discloses a billing method associated with a plurality of billing entities, the method comprising: executing a single instance of a bill presentment and payment application (step 21); receiving at least one request from a customer (the request is read as the customer's enrollment col. 3 lines 59-65), the request identifying a first billing entity and a second billing entity (this step is deemed inherent to the step 11 which sets up by enrolling a customer against plural firms i.e., first and second billing entities); response to the request, separately retrieving and presenting to the customer stored billing data associated with each of the first billing entity and the second billing entity (step 17 discloses the utilities reporting charges to the firm 17, and whether the information is sent at a predetermined date or is sent is deemed to be a mere reversal of parts) and the

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stored billing data associated with each of the first billing entity and the second billing entity is retrieved and presented to the customer using the single instance of the bill presentment and payment application Step 21).

But, Pickering fails to disclose receiving via a computer a billing request. However, Applicant's disclosure admits that IBPP is a known system in which a customer generates an inquiry regarding his or her billing status. It would be obvious to modify Pickering to include the computerized version of billing lookup as taught by IBPP as this would better serve people who are disabled e.g. people who cannot hear or speak.

RE claim 2: Fig. 4 discloses providing bill summary information for each of the plurality of billing entities.

RE claim 3: Pickering discloses populating the fields of the individual templates (a template is read as the field extending horizontally across the screen shown in Fig 4 from each company's name); since each horizontal field segregate the data to a respective firm, this is read as "displaying separately the populated templates".

RE claim 4. Official Notice is taken regarding the old and notorious use of HTML language.

Claims 1, 3 and 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pickering as applied to claims 1-4 above, and further in view of Hilt et al. Hilt et al disclose providing different interfaces between banks and customers depending on the needs and wants of the customers. An obvious

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want of any customer is to sporadically check on the status on one's account. It would thus be an obvious modification the method in Pickering to include an interface which allows one to check one's account, the motivation being the time independent need to check one's account status at will.. The implementation object is read as the BID col. 15 line 9.

Regarding NOTE 1, the involved language is so broad as to constitute a reasonable interpretation by the examiner because generating a single billing reads on a single instance. Re NOTE 3, the examiner's reasons for motivation are deemed rationale given that both references deal with the same subject matter, e.g. electronic bill paying.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication should be directed to  
PRIMARY EXAMINER Joseph A. Fischetti at telephone number (703) 305-0731.

